

REMARKS

This is intended as a full and complete response to the Final Office Action dated February 4, 2009, having a shortened statutory period for response set to expire on May 4, 2009. Applicants submit this response to place the application in condition for allowance or in better form for appeal. Please reconsider the claims pending in the application for reasons discussed below.

Claims 9, 11-18, 25 and 36 are pending in the application. Claims 9, 11-18, 25 and 36 remain pending following entry of this response. Claims 9, 25 and 36 have been amended. Applicants submit that the amendments do not introduce new matter.

Further, Applicants are not conceding in this application that those amended (or canceled) claims are not patentable over the art cited by the Examiner, as the present claim amendments and cancellations are only for facilitating expeditious prosecution of the claimed subject matter. Applicants respectfully reserve the right to pursue these (pre-amended or canceled claims) and other claims in one or more continuations and/or divisional patent applications.

Statement of Substance of Interview

On April 3, 2009, a telephonic interview was held between Gero G. McClellan, (attorney of record), Johnny Lam (attorney for Applicants) and Examiner Leon Harper. The parties discussed the cited references including *Sahoo* and *Nolan*. Claim 9 was discussed. The parties also discussed proposed amendments to claim 9. In particular, the Examiner suggested amending claim 9 to clarify "a particular one of the plurality of different applications" and "selectable links". The proposed amendments are reflected in this response. No agreement could be reached at the time of the interview.

Claim Rejections - 35 U.S.C. § 103

Claims 9, 11-18 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Sahoo*, U.S. Patent No. 6,803,927, in view of *Nolan et al.*, U.S. Patent No. 5,253,362 (hereinafter *Nolan*).

Applicants respectfully traverse this rejection.

The Examiner bears the initial burden of establishing a *prima facie* case of obviousness. See MPEP § 2141. Establishing a *prima facie* case of obviousness begins with first resolving the factual inquiries of *Graham v. John Deere Co.*, 383 U.S. 1 (1966). The factual inquiries are as follows:

- (A) determining the scope and content of the prior art;
- (B) ascertaining the differences between the claimed invention and the prior art;
- (C) resolving the level of ordinary skill in the art; and
- (D) considering any objective indicia of nonobviousness.

Once the *Graham* factual inquiries are resolved, the Examiner must determine whether the claimed invention would have been obvious to one of ordinary skill in the art.

Respectfully, Applicants submit that the Examiner has not properly characterized the teachings of the references and/or the claims at issue. Accordingly, a *prima facie* case of obviousness has not been established.

For example, the Examiner suggests that *Sahoo* teaches “a plurality of different applications editing the plurality of data objects, wherein each application performs a different type of editing and wherein a relationship is defined between each data object and a respective application for editing the respective data object.” Specifically, the Examiner asserts as follows:

As for claim 9 *Sahoo* discloses . . . a plurality of different applications editing the plurality of data objects, wherein each application performs a different type of editing and wherein a relationship is defined between each data object and a respective application for editing the respective data object (See column 2 lines 28-33)

Final Office Action, page 3. However, the cited portion of *Sahoo* fails to disclose anything at all about “wherein each application performs a different type of editing and wherein a relationship is defined between each data object and a respective application”

for editing the respective data object.” To illustrate, the portion of *Sahoo* cited by the Examiner is set forth below:

The present invention is a general-purpose application program (“parent application program” or “base application program”) that can be used in conjunction with object-controlling application programs. The present invention provides a predetermined set of objects and defines a set of messages to which each of these objects must respond.

Sahoo, col. 2 lines 28-33. Respectfully, the portion of *Sahoo* merely teaches a plurality of application programs that control objects. By merely suggesting that *a plurality of application programs that control objects* is taught, the Examiner is wholly ignoring substantive limitations of the claims (namely, the underlined limitations), thereby fundamentally misconstruing the claims. Therefore, *Sahoo* fails to teach “a plurality of different applications editing the plurality of data objects, wherein each application performs a different type of editing and wherein a relationship is defined between each data object and a respective application for editing the respective data object.” Accordingly, Applicants respectfully submit that the rejection is defective and should be withdrawn.

Further, the Examiner suggests that *Nolan* teaches “an annotation store storing one or more annotations annotating the plurality of data objects edited by the plurality of different applications.” Specifically, the Examiner asserts as follows:

Nolan however does disclose an annotation store storing one or more annotations annotating the plurality of data objects edited by the plurality of different applications (See figure 10)

Final Office Action, page 3. However, the cited portion of *Nolan* fails to disclose anything at all about “an annotation store storing one or more annotations annotating the plurality of data objects edited by the plurality of different applications.” To illustrate, the portion of *Nolan* cited by the Examiner is set forth below:

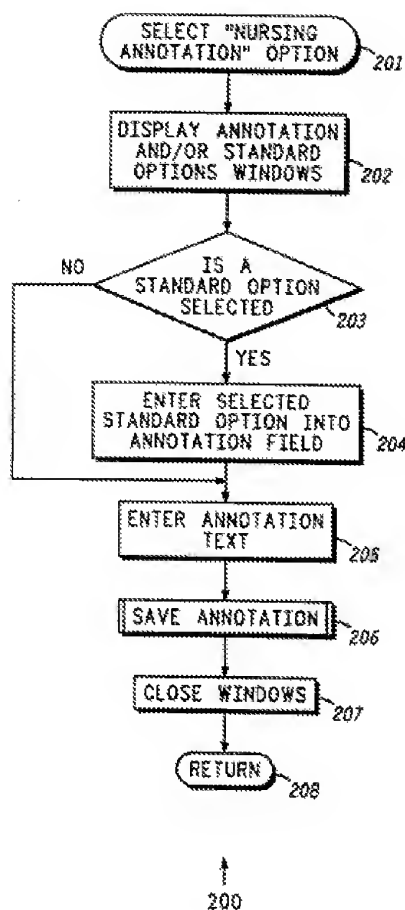


FIG. 10

Referring now to the flow chart of FIG. 10, an annotation entry process generally designated 200, embodying the present invention is illustrated.

Nolan, Figure 10 and col. 6 lines 32-34. Respectfully, the portion of *Nolan* merely teaches entering an annotation. By merely suggesting that *annotating a data object* is taught, the Examiner is wholly ignoring substantive limitations of the claims (namely, the underlined limitations), thereby fundamentally misconstruing the claims. In fact, *Nolan* as a whole is silent even as to a "plurality of different applications." To illustrate, relevant portions of *Nolan* are set forth below:

		7/7 8:30	7/7 11:00	7/7 11:30	7/7 12:00	7/7 12:30	7/7 13:00
453A	VITALS	HEART RATE 453B 453C		95 467 453C			
454A	BLOOD PRESSURE	454B 90/70	90/70	105/70 465			
455A	TEMP.	455B		455C			
456A	RESPIRATION RATE	456B			456C		
457A	LABS	CBC HGB 457B					
458A	CBC HCT	458B					
459A	K+	459B					459C
460A	Na	460B 460C					460C
461A	BUN	461B	466		15 468		
462A	CREAT	462B		0.8 465			

SHOW DETAIL

PARAMETER: BLOOD PRESSURE--487

DATA: 7/7--488

TIME: 11:30--489

SYSTOLIC: 105--490

DIASTOLIC: 70--491

AVERAGE: 67.5--492

DATE ENTERED: 7/7--493

TIME ENTERED: 11:38--494

ENTRY BY: A. NURSE--495

NURSE ANNOTATION: INCREASE IN SYSTOLIC DUE TO ADMINISTRATION OF DOPAMINE HYDROCHLORIDE

FIG. 5

FIG. 5 is an illustration of the screen of FIG. 2 showing the detail of an annotated cell.

In one particular embodiment, as annotations are made and saved to various other forms, such as those of FIGS. 2-6, the annotations are also stored in the nursing progress notes.

Nolan, Figure 5, col. 3 lines 55-56, and col. 5 lines 60-63. That is, *Nolan* is generally directed to a (single) application that supports cell forms (for example, a cell 465 in Figure 5 may be expanded to a form 486). See, e.g., *Nolan*, col. 2 lines 50-52 (“[A] cell in a flow-sheet may have a form . . . which expands on the information in the cell.”). Respectfully, a single application that supports cell forms does not teach or suggest a “plurality of different applications.” Therefore, for the reasons given above, individually and collectively, *Nolan* fails to teach “an annotation store storing one or more annotations annotating the plurality of data objects edited by the plurality of different applications.” Accordingly, Applicants respectfully submit that the rejection is defective and should be withdrawn.

Further, the Examiner suggests that *Nolan* teaches “wherein the annotation browser is configured to display the one or more annotations along with selectable links to at least one of the plurality of data objects annotated by each annotation.” Specifically, the Examiner asserts as follows:

Nolan however does disclose . . . an annotation browser configured to display annotations and links to associated data objects and wherein selecting the links to the associated data objects causes an application used to manipulate the associated data objects to be invoked (See column 2 lines 50-60).

Final Office Action, pages 3-4. However, the cited portion of *Nolan* fails to disclose anything at all about “wherein the annotation browser is configured to display the one or more annotations along with selectable links to at least one of the plurality of data objects annotated by each annotation.” To illustrate, the portion of *Nolan* cited by the Examiner is set forth below:

In this type of electronic database, a cell in a flow-sheet may have a form or report associated with it which expands on the information in the cell. This form may be comprised of various attributes obtained from one or more object instances of one or more object classes. This is similar to “hypertext” which is a process whereby a word or symbol in one document is related, or linked, to another document. This linking can continue from one document to the next in an unlimited manner. An example of this is Apple’s ® Hypercard ® software.

Nolan, col. 2 lines 50-60. Respectfully, the portion of *Nolan* merely teaches a link from a *cell* to a form containing *annotations to the cell*. *Nolan* is entirely silent as to links *from* annotations *to* associated data objects, as required by the claims. By suggesting that a *link from a cell to a form containing annotations to the cell* in *Nolan* teaches “wherein the annotation browser is configured to display the one or more annotations along with selectable links to at least one of the plurality of data objects annotated by each annotation,” the Examiner is fundamentally misconstruing the claims. Therefore, *Nolan* fails to teach “wherein the annotation browser is configured to display the one or more annotations along with selectable links to at least one of the plurality of data objects annotated by each annotation.” Accordingly, Applicants respectfully submit that the rejection is defective and should be withdrawn.

Further, the Examiner suggests that references teach “wherein selecting any one of the selectable links causes a particular one of the plurality of different applications used to edit the respective data object to be invoked on the basis of the defined relationship.” However, as discussed above, *Nolan* fails to teach “wherein the annotation browser is configured to display . . . *selectable links to at least one of the*

plurality of data objects annotated by each annotation.” Therefore, *Nolan* necessarily fails to teach “wherein selecting any one of the selectable links causes a particular one of the plurality of different applications used to edit the respective data object to be invoked on the basis of the defined relationship.” Further, as discussed above, *Sahoo* fails to teach “wherein *a relationship is defined* between each data object and a respective application for editing the respective data object.” Therefore, *Sahoo* necessarily fails to teach “wherein selecting any one of the selectable links causes a particular one of the plurality of different applications used to edit the respective data object to be invoked on the basis of the defined relationship.” For the reasons given above, individually and collectively, the references fail to teach or suggest “wherein selecting any one of the selectable links causes a particular one of the plurality of different applications used to edit the respective data object to be invoked on the basis of the defined relationship.” Accordingly, Applicants respectfully submit that the rejection is defective and should be withdrawn.

Further, in the interest of facilitating prosecution, Applicants have amended independent claims 9, 25 and 36 to clarify “a particular one of the plurality of different applications” and “selectable links”, as suggested by the Examiner during the interview. Applicants respectfully submit that the claims, as amended, are not taught by the references, individually or collectively. Accordingly, Applicants respectfully submit that the rejection is obviated.

Therefore, the claims are believed to be allowable, and allowance of the claims is respectfully requested.

Conclusion

Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

If the Examiner believes any issues remain that prevent this application from going to issue, the Examiner is strongly encouraged to contact Gero McClellan, attorney of record, at (336) 698-4286, to discuss strategies for moving prosecution forward toward allowance.

Respectfully submitted, and
S-signed pursuant to 37 CFR 1.4,

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